

LEGISLATIVE BILL 402

Approved by the Governor March 28, 2005

Introduced by Fischer, 43

AN ACT relating to civil procedure; to amend section 25-1628, Revised Statutes Supplement, 2004; to modify provisions relating to the production of jury master lists; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 25-1628, Revised Statutes Supplement, 2004, is amended to read:

25-1628. (1) At least once each calendar year, the officer having charge of the election records shall furnish to the jury commissioner a complete list of the names, dates of birth, and addresses of all registered electors nineteen years of age or older in the county. The Department of Motor Vehicles shall make available to each jury commissioner each December a list in magnetic, optical, digital, or other electronic format mutually agreed to by the jury commissioner and the department containing the names, dates of birth, and addresses of all licensed motor vehicle operators nineteen years of age or older in the county. The jury commissioner may request such a list of licensed motor vehicle operators from the county treasurer if the county treasurer has an automated procedure for developing such lists. If a jury commissioner requests similar lists at other times from the department, the cost of processing such lists shall be paid by the county which the requesting jury commissioner serves.

~~At least once each calendar year upon~~ (2) Upon receipt of both lists described in subsection (1) of this section, the jury commissioner shall combine the separate lists and attempt to reduce duplication to the best of his or her ability to produce a master list. In counties having a population of three thousand inhabitants or more, the jury commissioner shall produce a master list at least once each calendar year. In counties having a population of less than three thousand inhabitants, the jury commissioner shall produce a master list at least once every two calendar years.

(3) The proposed juror list shall be derived by selecting from the master list the name of the person whose numerical order on such list corresponds with the key number and each successive tenth name thereafter. The jury commissioner shall certify that the proposed juror list has been made in accordance with sections 25-1625 to 25-1637.

(4) Any duplication of names on a master list shall not be grounds for quashing any panel pursuant to section 25-1637 or for the disqualification of any juror.

Sec. 2. Original section 25-1628, Revised Statutes Supplement, 2004, is repealed.